

Exhibit A

Patent
Attorney Docket No. 13779-556

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Jordi TORMO I BLASCO et al.

Mail Stop: Amendment

Application No.: 10/589,953

Group Art Unit: 1612

Filing or 371(c) Date: August 18, 2006

Examiner: Qazi, Sabiha Naim

Title: 5,6-Dialky-17-Aminotriazolopyrimidines, Their
Preparation and Their Use for Controlling
Harmful Fungi, and Compositions Comprising
These Compounds

Confirmation No.: 2111

DECLARATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. I, Egon Haden, Dr. agr., a citizen of the Federal Republic of Germany and residing at Bayernstraße 55, 67061 Ludwigshafen, Germany, hereby declare as follows:
2. I am fully trained agricultural engineer, having studied agricultural science at the Technical University of Stuttgart - Hohenheim, Germany, from 1975 to 1980.
3. From 1980 to 1985 I furthered my studies at the Institute of Plant Disease of the University of Hohenheim, and I was awarded my doctor's degree by the said university in 1985.
4. I joined BASF Aktiengesellschaft (now BASF SE) of 67056 Ludwigshafen, Germany, in 1984, and have since been working in the field of the characterization and screening of fungicidal substances, and am therefore fully conversant with the technical field to which the invention disclosed and claimed in U.S. Patent Application No. 10/589,953 belongs.
5. I have read and fully understand U.S. Patent Publication No. 2007/0173408, which is a publication of U.S. Patent Application No. 10/589,953. Further, I have read the Office Action of July 8, 2010.

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6. I have read and fully understand European Patent Publication No. 0141317, PCT Patent Publication No. WO 03/009687, European Patent Publication No. 0215382, and British Patent Publication No. 1,148,629.
7. The following experiments were carried out under my supervision in accordance with the instructions given in the specification of U.S. Application No. 10/589,953 or as described below.

Comparative trials vs. EP 0 141 317

The spray solutions were prepared in several steps:

The following stock solution was prepared: a mixture of acetone and/or dimethylsulfoxide and the wetting agent/emulsifier Wettol, which is based on ethoxylated alkylphenoles, in a relation (volume) solvent-emulsifier of 99 to 1 was added to 25 mg of the compound to give a total of 10 ml. Water was then added to total volume of 100 ml.

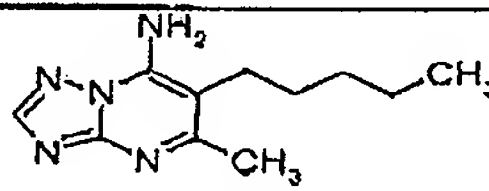
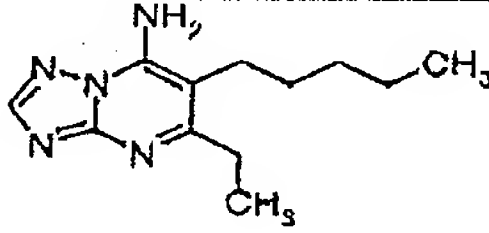
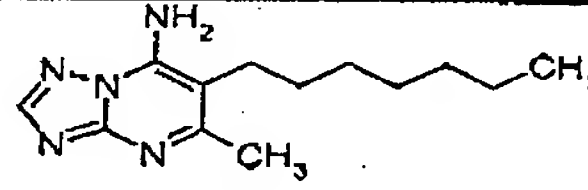
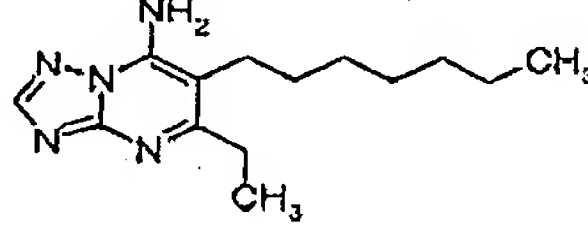
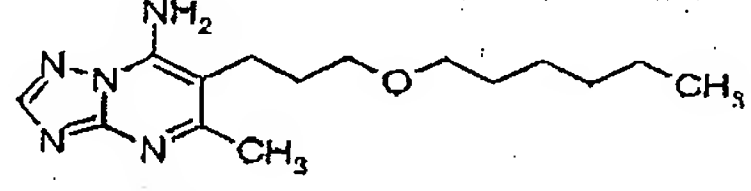
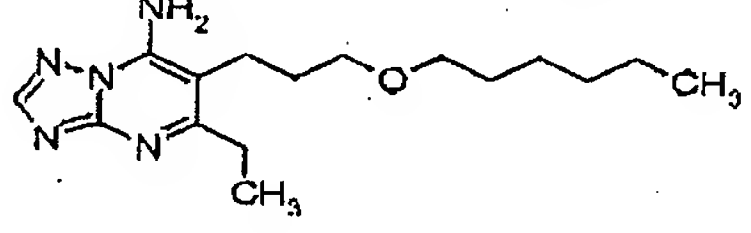
This stock solution was diluted with the described solvent-emulsifier-water mixture to the given concentration.

Example 1 - Activity against late blight of tomatoes caused by *Phytophthora infestans*, protective treatment

Leaves of potted tomato plants were sprayed to runoff point with an aqueous suspension having the concentration of active compounds stated below. The next day, the leaves were infected with an aqueous sporangia suspension of *Phytophthora infestans*. The plants were then placed in a water-vapor-saturated chamber at temperatures between 18 and 20°C. After 6 days, the late blight on the untreated, but infected control plants had developed to such an extent that the infection could be determined visually in %.

The Attack in % quantity refers to the percentage of diseased leaf area per plant infected by *Phytophthora infestans* when the compound was applied at 63ppm.

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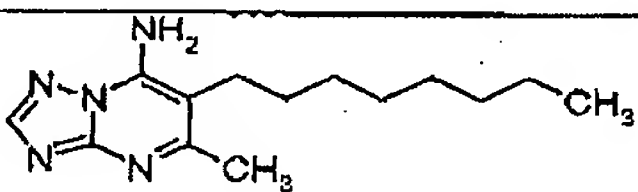
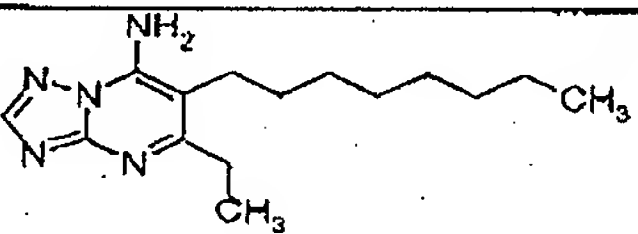
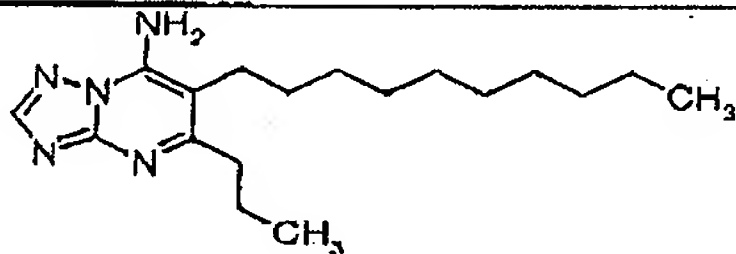
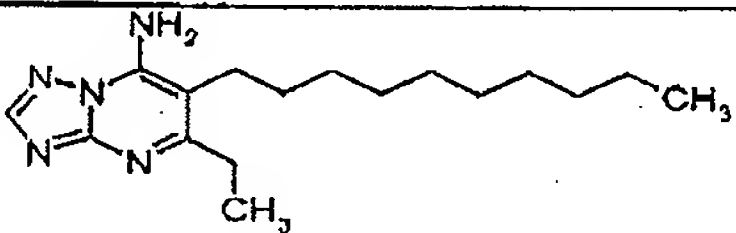
Exp.-No.:	Compound No. in document	Structure	Attack in % at 63ppm
1	# 10 (D1)		20
2	Tab. I; # I-6 Invention		0
3	# 12 (D1)		40
4	Tab. I; # I-8 Invention		0
5	# 46 (D1)		30
6	Tab. I; # A-136 Invention		10
7	untreated		90

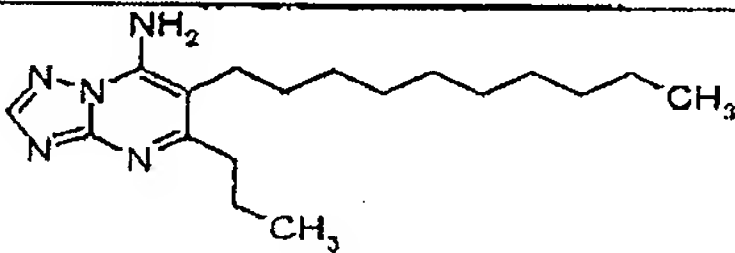
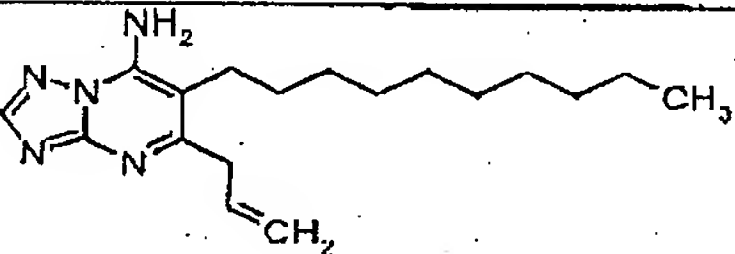
**Example 2 - Activity against late blight of tomatoes caused by *Phytophthora infestans*,
3 days protective treatment**

Leaves of potted tomato plants were sprayed to runoff point with an aqueous suspension having the concentration of active compounds stated below. After 3 days the leaves were infected with an aqueous sporangia suspension of *Phytophthora infestans*. The plants were then placed in a water-vapor-saturated chamber at temperatures between 18 and 20°C. After 6 days, the late blight on the untreated, but infected control plants had developed to such an extent that the infection could be determined visually in %.

The Attack in % quantity refers to the percentage of diseased leaf area per infected by *Phytophthora infestans* when the compound was applied at 16ppm.

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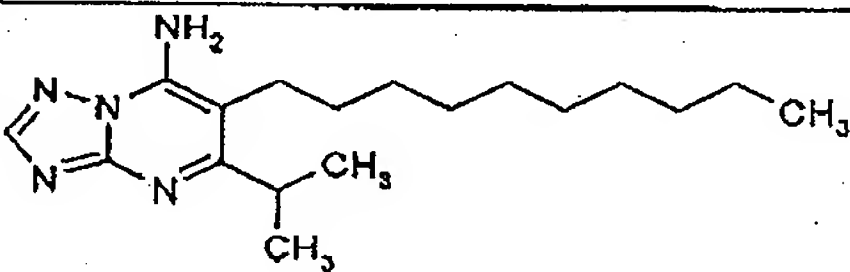
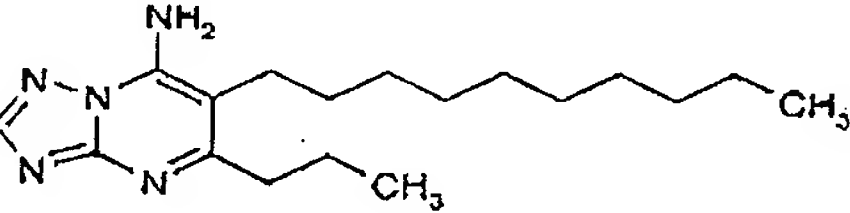
Exp.-No.:	Compound No. in document	Structure	Attack in % at 16ppm
8	# 15 (D1)		90
9	Tab. I; # I-2 Invention		10
10	# 21 (D1)		90
11	Tab. I; # I-10 Invention		10
12	untreated		90

Exp.-No.:	Compound No. in document	Structure	Attack in % at 250 ppm
13	# 21 (D1)		90
14	Tab. V; # A-65 Invention		5
15	untreated		90

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Example 3 – Preventative control of grey mold (*Botrytis cinerea*) on leaves of green pepper

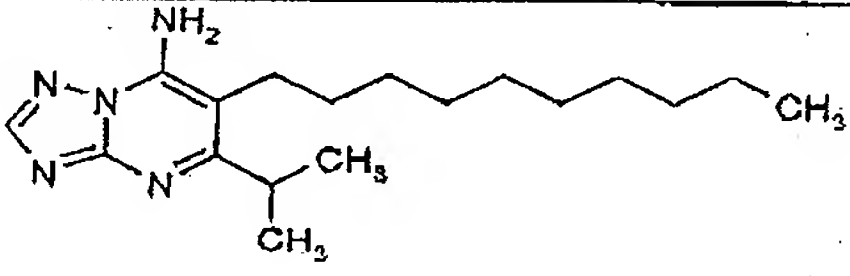
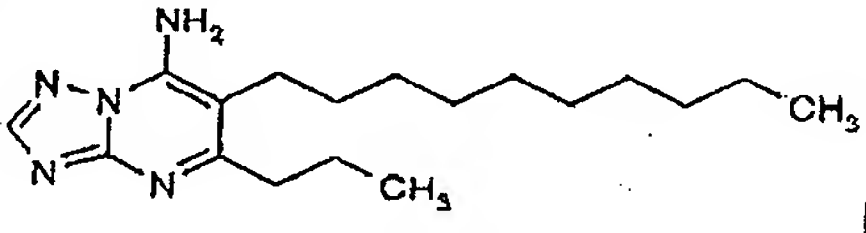
Young seedlings of green pepper were grown in pots to the 2 to 3 leaf stage. These plants were sprayed to run-off with an aqueous suspension containing the concentration of active ingredient or their mixture mentioned in the table below. The next day the treated plants were inoculated with a spore suspension of *Botrytis cinerea* in a 2 % aqueous biomalt solution. Then the trial plants were immediately transferred to a dark, humid chamber. After 5 days at 22 to 24°C and a relative humidity close to 100 % the extent of fungal attack on the leaves was visually assessed as % diseased leaf area.

Exp. No.	Compound No. in document	Structure	Attack (%) at 63ppm	Attack (%) at 250 ppm
16	Tab. 2; # A-65 Invention		76	76
17	# 21, D1		100	100

Example 4 - Curative control of brown rust on wheat caused by *Puccinia recondita*

The first two developed leaves of pot-grown wheat seedling were dusted with spores of *Puccinia recondita*. To ensure the success the artificial inoculation, the plants were transferred to a humid chamber without light and a relative humidity of 95 to 99 % and 20 to 22°C for 24 h. The next day the plants were sprayed to run-off with an aqueous suspension, containing the concentration of active ingredient or their mixture as described below. The plants were allowed to air-dry. Then the trial plants were cultivated for 8 days in a greenhouse chamber at 22-26°C and a relative humidity between 65 and 70 %. The extent of fungal attack on the leaves was visually assessed as % diseased leaf area.

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Exp. No.	Compound No. in document	Structure	Attack (%) at 63ppm	Attack (%) at 250 ppm
18	Tab. 2; # A-65 Invention	 <chem>CCCCCCCCCCCCc1c(C)nc2nc(N)ncn12</chem>	77	60
19	# 21, D1	 <chem>CCCCCCCCCCCCc1nc2nc(N)ncn12</chem>	100	100

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information or belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: December ²¹, 2010.